

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BRIAN NASH,

Plaintiff,

-against-

JOHN E. POTTER, Postmaster General, and  
UNITED STATES POST OFFICE,

Defendants.

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LEVY, United States Magistrate Judge:

Plaintiff Brian Nash commenced this employment discrimination case on March 1, 2010. After requesting and receiving a number of adjournments and extensions, plaintiff's counsel filed a status report, dated October 1, 2010, stating that plaintiff planned to dismiss this matter voluntarily by November 5, 2010. (See Letter of Thomas F. Bello, Esq., dated Oc. 1, 2010.) Plaintiff did not file a notice of discontinuance by that date. Accordingly, I respectfully recommend that this case be dismissed for lack of prosecution.

Objections to this Report and Recommendation must be filed within fourteen (14) days, with courtesy copies to Judge Weinstein and to my chambers, in order to preserve appellate review. See 28 U.S.C. § 636(b)(1).

Respectfully submitted,

/s/

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ROBERT M. LEVY  
United States Magistrate Judge

Dated: Brooklyn, New York  
December 7, 2010